



## 1997 ASSEMBLY BILL 417

June 10, 1997 - Introduced by Representatives LAZICH, VRAKAS, KAUFERT, ALBERS, BOCK, BOYLE, GOETSCH, GRONEMUS, GUNDERSON, HAHN, KELSO, LA FAVE, POWERS, UNDERHEIM and URBAN, cosponsored by Senators PANZER, HUELSMAN and ROESSLER. Referred to Joint committee on Information Policy.

1     **AN ACT to amend** 134.72 (1) (b) and 134.72 (2) (b) 2.; and **to create** 134.72 (2) (b)  
2             1. c. and 134.72 (2) (c) of the statutes; **relating to:** unsolicited documents  
3             transmitted by facsimile machine.

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### *Analysis by the Legislative Reference Bureau*

Current law restricts the transmittal of unsolicited documents by facsimile machine. These restrictions prohibit unsolicited documents that are more than one page and the transmittal of unsolicited documents to persons with whom the person sending the documents has not had a prior business relationship.

Current law covers unsolicited facsimile transmissions that encourage a person to purchase property, goods or services. This bill expands this coverage to include the rental and other types of acceptance of these items and the extension of credit.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4             **SECTION 1.** 134.72 (1) (b) of the statutes is amended to read:  
5             134.72 (1) (b) "Facsimile solicitation" means the unsolicited transmission of a  
6             document by a facsimile machine for the purpose of encouraging a person to

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1 purchase, rent, or otherwise accept property, goods or services or to accept an  
2 extension of credit.

3 **SECTION 2.** 134.72 (2) (b) 1. c. of the statutes is created to read:

4 134.72 (2) (b) 1. c. The facsimile solicitation contains the notification specified  
5 in par. (c).

6 **SECTION 3.** 134.72 (2) (b) 2. of the statutes is amended to read:

7 134.72 (2) (b) 2. Notwithstanding subd. 1., a person may not make a facsimile  
8 solicitation to a person who has notified the facsimile solicitor in writing ~~or~~, by  
9 facsimile transmission, or by calling the toll-free telephone number under par. (c)  
10 that the person does not want to receive facsimile solicitation.

11 **SECTION 4.** 134.72 (2) (c) of the statutes is created to read:

12 134.72 (2) (c) *Notification.* The notification under par. (b) 1. c. shall be in type  
13 not smaller than 9 point and shall contain a toll-free telephone number and an  
14 address with which the person solicited may communicate to notify the person  
15 making the solicitation not to send facsimile solicitation to the facsimile telephone  
16 numbers specified by the person solicited.

17 **SECTION 5. Effective date.**

18 (1) This act takes effect on the first day of the 3rd month beginning after  
19 publication.

20 (END)